

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application. Claims 2-3 have been amended to better define the invention and to be consistent with the Examiner's suggestions. Claim 12 has been amended in 3 locations; the first is to better define the process. Basis can be found at page 12, line 27. The second amendment is clearly a correction of a grammatical error. The third amendment is the introduction of the sterilization phase in the process which can be found at page 12, lines 12-13 and the type of sterilization can be found at page 11, line 33 to page 12, line 8. Claims 15-24 correspond to present claims 2-11.

35 USC 102

The Examiner has cited the teaching of Jada et al. as anticipatory of the present invention in claims 1-10 and 12-14. The Applicant argues that this is not the case, as Jada et al. do not teach the aseptic feature which is clearly present in claim 1. Thus the material of claim 1-11 is novel. The Applicant further argues that the process to make it (claim 12) and the use thereof in the present method claim 14 are evidently also novel if the material according to claim 1 is.

35 USC 103

The novel material of claim 1 is for impression-taking in implantodontics, particularly in the so-called "immediate loading" technique, which requires that an impression is taken immediately after the introduction of the implant (ref. page 2, line 6 of the Application). This requires a number of characterizing features as discussed throughout the Application. One of these required features is that the material is aseptic. The sterility of the material is particularly important for the immediate loading technique where the material that is taking an impression comes into direct contact with open wounds. As discussed at pages 11 and 12, the sterility can be achieved by radiation.

Jada et al. and the other two cited documents, Fiedler et al. and Smith et al., do not teach or even mention the requirement of sterility/ being aseptic nor how it can be achieved, because it is generally recognized in the art that a sterilization phase may affect the dimensional stability of the material and thus the impression accuracy.

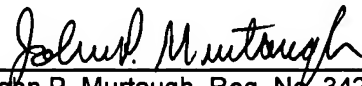
The solution proposed by the present invention is to use radiation for sterilization as it allows the sterilization of the material while being able to maintain the stability of the material. There is nothing in the cited prior art that teaches the person skilled in the art how to achieve this sterilization by radiation and the corollary advantage it brings with it, thus the Applicant argues that the material according to claim 1 is novel and inventive. Applicant also argues that the method to produce it and the uses thereof in implantodontics are also novel and inventive.

For all of these reasons, it is clear that the claims as now presented define over the prior art and are in condition for allowance. Accordingly, a Notice of Allowance is now in order and is respectfully requested.

If any fees are required by this communication which are not covered by an enclosed check, please charge such fees to our Deposit Account No. 16-0820, Order No. 36494.

Respectfully submitted,

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